



PATENT  
ATTORNEY DOCKET NO.: 054163-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Stephen A. JOBLING et al.

Application No. 09/297,703

Group Art Unit: 1638

Filed: July 19, 1999

Examiner: Anne Kubelik

For: NUCLEIC ACIDS FROM CASSAVA ENCODING STARCH BRANCH ENZYME II  
(SBEII) AND THEIR USE (as amended)

MAIL STOP AF  
U.S. Patent and Trademark Office  
Arlington, VA 22202

Sir:

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 9, 2003, rejecting the following claims 36-40.


Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

- [X] The Commissioner is authorized to charge the appeal fee of \$330.00 to Deposit Account No. 50-0310.
- [X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

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Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
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Dated: March 12, 2004  
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